



OFFICE OF THE CITY ATTORNEY
CHARLES D. BODDY, JR.

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ASSISTANT CITY ATTORNEY

BRIAN T. CORRIGAN
ASSISTANT CITY ATTORNEY

May 3, 2017

Thomas Duggan
The Valley Patriot
75 Main Street
North Andover, MA 01845

Re: Public Records Request-Legal fees/costs associated with the claims of William Green.

Dear Mr. Duggan:

I reviewed your request for public records dated April 26, 2017. Specifically, you seek (1) the total costs for legal services in the William Green v. the City of Lawrence MCAD complaint; (2) the total costs for outside legal services in the William Green v. the City of Lawrence MCAD complaint; (3) the total costs for legal services incurred by Lawrence in defense of any action brought by William Green since 2013; (4) any administrative costs to Lawrence in the William Green v. the City of Lawrence MCAD complaint; (5) any administrative costs to Lawrence in defense of any action brought by William Green.

The City has no records responsive to requests numbered 1, 2, and 4 above. The MCAD matter was handled exclusively by the office of the City Attorney with regard to the City. The City Attorney's Office does not track hours and time worked on particular cases, nor any costs associated with particular cases unless payments were made to outside vendors. Lawrence had no outside vendors in this case. The named superior officers had outside counsel, but those fees were not paid by the City of Lawrence.

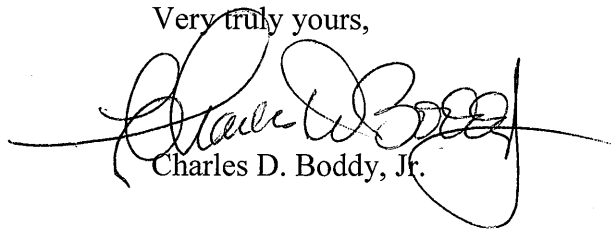
A record holder's duty to respond to requests for information extends only to records that are in existence and in his custody. See G.L. c4 Sect 7 (26). There is no obligation to create a record in response to a public records request. G.L. c.66, Sec. 10(a). Thus to the extent that the City does not have any written document or report responsive to such request, the City is not obligated under the Public Records Law to create such records.

The City possesses documents responsive to requests numbered 3 and 5. These documents reflect payment through April 10, 2017 to an outside law firm in the approximate amount of \$17,204.00 for matters other than the MCAD proceedings. The matters are ongoing, and fees are expected to increase.

While the City is entitled to a statutory fee for the research of our records and the reproduction of documents in response to your public records request, the fee will be waived in this instance. The waiver of the fee in this instance does not necessarily mean that the fee will be waived for any future public records requests, and each request will be reviewed and decided on a case by case basis.

You may appeal this response to the Supervisor of Public Records within 90 days.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles D. Boddy, Jr.", with a long horizontal flourish extending to the left and a vertical line at the end.

Charles D. Boddy, Jr.

Charles Boddy

From: Kate Reilly
Sent: Friday, April 28, 2017 2:16 PM
To: Charles Boddy
Cc: Eileen O'Connor Bernal
Subject: FW: Public Records Request

FYI---Mayor asked me to get this over to you.

From: The Valley Patriot [<mailto:valleypatriot@aol.com>]
Sent: Wednesday, April 26, 2017 8:01 PM
To: Kate Reilly
Subject: Public Records Request

To the Lawrence Mayor's Office

Under the state's current public records Law, MGL Ch. 66 please provide the following documents in electronic form:

The total cost of legal services paid by the city to in-house city-attorney's, assistants, etc, in the matter of William Green vs the City of Lawrence and all defendants in the MCAD discrimination case.

Please also provide documents showing the total costs to the city for outside council in the matter of William Green vs the City of Lawrence and all defendants in the MCAD discrimination case.

Please also provide documents showing the total costs to the city for any other legal matter whereas the plaintiff is Mr. William Green and the defendant(s) is The City of Lawrence or any representative of the city from 2013 to present.

Any and all administrative costs to the city associated with the case of William Green vs The City of Lawrence and all other defendants in the MCAD Case.

Any and all administrative costs to the city associated with the case of William Green vs The City of Lawrence and all other defendants in prior cases.

Tom Duggan
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